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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,089	08/20/2001	Andras Kovacs	1120.40545X00	5463

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EXAMINER

LE, DANH C

ART UNIT PAPER NUMBER

2683

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/932,089	Applicant(s) KOVACS ET AL.	
	Examiner DANH C LE	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-16 and 20-46 is/are allowed.
- 6) ☒ Claim(s) 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/06/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 17-20 are rejected under 35 U.S.C. 102(e) as being anticipate by

Andersson (US 2002/0082014).

As to claim 17, Andersson teaches a network element for handling radio resource control in a radio access network (paragraph 0057-0062), comprising:

- a) means for receiving a relocation-specific information (relocation);
- b) means for establishing, in response to the receipt of said relocation-specific information, a link to a drift network element (DRNC) specified by said relocation-specific information; and
- c) means for initiating a downlink bi-casting procedure to said network element and to a serving network element (SRNC) to be subjected to relocation, or a downlink transport forwarding procedure from said serving network element (20) to said network element;

As to claim 18, Andersson teaches a network element according to claim 17, wherein said network element is a base transceiver station (28), a base station controller or a radio network controller (26).

As to claim 19, Andersson teaches a network element for handling radio resource control in a radio access network (paragraph 0057-0060), comprising:

a) means for adding an identification information to a relocation-specific information (relocation), said identification information identifying a drift network element (DRNC) supporting said network element in serving a user equipment; and

b) means for transmitting said relocation-specific information to a target network element to which radio resource control of said user equipment is to be relocated (paragraph 0058).

As to claim 20, Andersson teaches a network element according to claim 19, wherein said network element is a base transceiver station (28), a base station controller or a radio network controller (26).

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 1-16, 21-46 are allowed.

As to claim 1, Andersson et al (US 2002/0082014) teaches connection handling in SRNC relocation. Fauconnier et al (US 2002/0025820) teaches method of controlling a channel between a radio terminal and a cellular radiocommunication infrastructure, and access network implementing such a method. Rune et (US 2002/0025815) teaches switching from dedicated to common channels when radio

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resources are controlled by drift radio network controller. Oom et al (US 6,738,625) teaches re-homing and resource sharing in communication network. The teaching of prior arts either alone or in combination fails to teach establishing based on said relocation-specific information a second operating state in which said user equipment has radio links with said drift network element and said target network element, and in which said drift network element supports said target network element with a user traffic connection to said user equipment and receives user traffic from both said serving network element and said target network element and relocating said radio resource control to said target network element when said second operating state has been established.

As to claim 12, Andersson et al (US 2002/0082014) teaches connection handling in SRNC relocation. Fauconnier et al (US 2002/0025820) teaches method of controlling a channel between a radio terminal and a cellular radiocommunication infrastructure, and access network implementing such a method. Rune et (US 2002/0025815) teaches switching from dedicated to common channels when radio resources are controlled by drift radio network controller. Oom et al (US 6,738,625) teaches re-homing and resource sharing in communication network. The teaching of prior arts either alone or in combination fails to teach wherein said target network element is arranged to establish, in response to the receipt of said relocation-specific information, a link to said drift network element and to initiate a downlink bi-casting procedure said serving network element and said target network element or a downlink transport network element to said forwarding procedure from said serving target

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network element and wherein said system is arranged to change said radio resource control to said target network element after said initiation of said bi-casting or forwarding procedure.

Dependent claims 2-13, 14-16, 21-26 are allowable for the same reason.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Alvesalo et al (US 6,745,032) teaches transmission link optimization.

Ahmavaara (US 6,807,421) teaches method for controlling connections to mobile station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'danh', is written over a horizontal line.

Danh C. Le
DANH CONG LE
PATENT EXAMINER